

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Ricky Mason,

Plaintiff,

vs.

Nancy Johnston, et al.,

Defendants.

Case No. 19-cv-2597 (JRT/KMM)

**DEFENDANTS' REQUEST TO  
CONDUCT DEPOSITION OF  
PLAINTIFF RICKY MASON**

As provided by the Court's December 15, 2020 scheduling order (Doc. No. 41), Defendants request to take the deposition of Plaintiff Ricky Mason. Defendants expect Plaintiff's deposition to be helpful to their case for one major reason that directly flows from Plaintiff's constitutional claims and this Court's ruling adopting the report and recommendation of Magistrate Judge Katherine Menendez.

Specifically, according to the Court, it must "decide whether the relationship between Mason and Keinanen warrants constitutional protection" under the First Amendment. (Memo. Op. & Order Adopting R. & R. of Magistrate Judge, Doc. No. 26, dated Sept. 30, 2020.) Defendants' questioning of Plaintiff about the nature of that relationship will help Defendants prepare their case—and likely, help the Court reach its decision.

Taking Plaintiff's deposition is proportional to the needs of this case, if only because one of the key people with knowledge of the relationship between Plaintiff and Ms. Keinanen is Plaintiff himself.

Because taking Plaintiff's deposition would be helpful to the preparation of Defendants' case by shedding light on the nature of Plaintiff and Ms. Keinanen's relationship, and it is proportional to the needs of the case because Plaintiff is one-half of this relationship, Defendants' request should be granted.

Dated: March 5, 2021

Respectfully submitted,

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**s/ Brendan M. Kenny**

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